

REMARKS

Claims 1-37 were pending. Claims 10-37 have been canceled and new claims 38-52 have been added. Claims 38-52 are rewritten forms of canceled claims 10-28. Claims 38-52 have been added to be dependent on claims 1-9 and to make clear that the processes of the methods claimed are not materially different. Support may be found in the specification generally. No statutory new matter has been added. Therefore, entry of the claims as amended and reconsideration is respectfully requested.

In the Office action mailed 14 November 2002, the Examiner required a restriction as follows:

- I. Claims 1-9, drawn to an assay for detecting, measuring or monitoring the activity or concentration of a protein.
- II. Claims 10-22, drawn to an assay for detecting, measuring or monitoring the activity or concentration of acetylcholinesterase and/or butyrylcholinesterase.
- III. Claim 23, drawn a method of detecting or confirming whether a subject was exposed to an agent.
- IV. Claim 24, drawn a method of determining the identity of an agent.
- V. Claim 25, drawn a method of determining the efficacy or monitoring the progress of a treatment regime.
- VI. Claims 26 and 30, drawn to a method of determining whether a subject suffers from drug sensitivity or disease.
- VII. Claim 27, drawn to a method of measuring the concentration of red blood cells in a subject.
- VIII. Claim 28, drawn to a method of screening for a candidate compound.
- IX. Claim 29, drawn to a device for detecting, measuring or monitoring the activities or concentrations of acetylcholinesterase and/or butyrylcholinesterase.

- X. Claims 31-34, drawn to a kit for detecting, measuring or monitoring the activities or concentrations of acetylcholinesterase and/or butyrylcholinesterase.
- XI. Claim 35, drawn to a biosensor.
- XII. Claims 36 and 37, drawn to a database of sensitivity coefficients.

The Examiner explained that Inventions I-VIII are different and distinct because they involve different method steps, starting materials, reagents, and/or reaction conditions and/or produce different products or results.

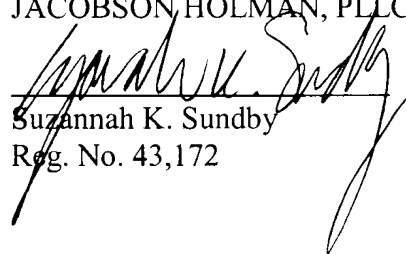
Applicants hereby elect to prosecute the claims of Invention I, claims 1-9, with traverse. Applicants have added new claims 38-52. Claims 38-52 are rewritten forms of cancelled claims 10-28 and are made to be dependent on claims 1-9. Thus, practice of the methods of claims 38-52 encompass performing the assay of claims 1-9 and do not require different method steps, starting materials, reagents, and reaction conditions. Therefore, Applicants respectfully request that claims 38-52 are examined with claims 1-9 and that the restriction requirement be withdrawn.

CONCLUSION

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

It is not believed that extensions of time are required, beyond those that may otherwise be provided for in accompanying documents. However, in the event that additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. §1.136(a), and any fees required therefor are hereby authorized to be charged to our Deposit Account No. **210380**, referencing Attorney Docket No. **P66820US1 (00-23)**.

Respectfully submitted,
JACOBSON HOLMAN, PLLC



Suzannah K. Sundby
Reg. No. 43,172

Date: 12 December 2002
The Jenifer Building
400 Seventh Street, N.W.
Washington, DC 20004-2201
(202) 662-8497